

HOUSE COMMITTEE ON
LABOR

Hearing Room
Tapes - 13

MEMBERS PRESENT:

Rep. John Watt, Chair
Rep. Lee Beyer, Vice-Chair
Rep. Kate Brown
Rep. Chuck Carpenter
Rep. Mike Fahey
Rep. Lynn Lundquist
Rep. Lynn Snodgrass

STAFF PRESENT:

Aaron Felton, Committee Counsel
Paula Gilmer Purcell, Committee Assistant

MEASURES HEARD: Public Hearing on House Bill 2060

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

02 CHAIR WATT: Brings meeting to order at 1:30pm.

 Opens Public Hearing on House Bill 2060

15 CHRIS APGAR, LEGISLATIVE COORDINATOR FOR THE EMPLOYMENT DEPARTMENT: Will read from submitted testimony [EXHIBIT A] in support of House Bill 2060.

24 Many of the components of HB 2060 were also part of HB 2132 from last session.

30 We want to make the process more efficient and equitable.

40 Sections one and two deal with overpayment recovery, relating to a process for interstate recovery.

55 Twenty-nine states are currently involved in an agreement for the collection of overpayments.

66 CHAIR WATT: If you enter into an agreement, is it a negotiated agreement based on a length of time?

69 DICK VAN PELT, UNEMPLOYMENT INSURANCE PROGRAM SUPERVISOR: I will research that issue and I will get back to you.

76 REP. FAHEY: How is the overpayment determined?

83 VAN PELT: From a number of sources.

86 APGAR: Continues with testimony referring to [EXHIBIT A].

98 A lot of attorneys show up at the hearings, and this can complicate the process.

104 REP. FAHEY: How much are we talking about in terms of shortening the process?

105 APGAR: We don't have a good estimate at this point and time. I can get that information from Christine Chute, she is in charge of that area.

109 Continues with his testimony referring to [EXHIBIT A].

134 Under the new law we would first look at the one-third, then at ten times the minimum wage.

144 We want to provide an incentive for people to get back into the work force.

151 REP. FAHEY: Run me a little scenario on the maximum weekly benefits, what does using the third do? I want to know what it does to the maximum amount of unemployment?

153 VAN PELT: The maximum amount of benefit is two hundred and ninety two dollars. A person could work and earn up to one third of that amount, which is ninety four dollars, that's greater than the ten times the minimum wage. It benefits those who receive benefits of one hundred and forty dollars a week or less. Above one hundred and forty-five dollars, we would just apply the one-third.

165 REP. FAHEY: A guy making two hundred and ninety two dollars using your formula of ten times the minimum wage, would have a significant reduction in his unemployment compensation.

168 VAN PELT: In that case, we would use the one third formula.

171 CHAIR WATT: We will have a fiscal impact on this soon.

175 APGAR: I can provide that for you after the meeting.

176 CHAIR WATT: That's all right, just a rough idea will do.

178 REP. FAHEY: What amount of money is in the fund?

181 DONNA HUNTER, TAX MANAGER, EMPLOYMENT DEPARTMENT: One point one four billion dollars.

186 APGAR: Continues with his discussion of the bill.

195 A injured worker must apply for benefits within four weeks of termination. The bill looks at when the injured worker is legally terminated from workers compensation. Termination can be done retroactively. When does the worker know his claim has been terminated? The bill addresses this problem.

213 REP. FAHEY: Can't that be done in-house between agencies? Why can't the computers they want to buy talk to each other?

219 APGAR: We do not have any way of knowing when the adjudicator will make a determination.

259 FAHEY: If it was a plant closure, where would the notice come into play?

260 VAN PELT: This addresses when the employer terminates the employee within fifteen days after the employee has given notice they are going to quit.

288 Under existing policy, if someone leaves to accept a better job and is terminated, they would be allowed benefits.

295 APGAR: Section seven would allow us to wave overpayments. There is a cost to setting up an overpayment on the system. If the costs exceed the overpayment, we want to write those costs off.

314 LUNDQUIST: The part you want to wave, how is that compared to the total amount?

330 APGAR: Ten to fifteen percent of the overpayments are less than twenty five dollars.

336 FAHEY: Is there a time limitation for collecting overpayments?

343 VAN PELT: If we have caused the overpayment, there is a fifty two week limitation. If the worker caused the overpayment, there is a three year limitation. If it is fraud, there is no limitation.

353 APGAR: Continues from [Exhibit A].

368 The last section is the repeal of health insurance data collection. It is costly and cumbersome.

393 BEYER: Are we going to see a separate bill on that?

387 APGAR: I am not sure at this point. We are looking into this.

407 BEYER: This particular section, is it necessary to enable it?

409 APGAR: It would be a matter of adding a couple of questions to our

labor survey.

417 BEYER: Do you need some kind of statutory clout to require that the information be provided?

421 APGAR: We do not know at this point.

433 BEYER: How are you collecting it?

437 APGAR: It is a very complex and convoluted form that is currently being used.

443 BEYER: I think it is very important data. We need to make sure that this data is collected.

457 FAHEY: The ones who write the policy know who is eligible when they pay the bills, Maybe the providers could give us that information.

486 SNODGRASS: Please explain, if I have an employee who has a sensitive position and I have chosen to let them go after they give notice what would happen?

488 VAN PELT: Vacation pay would not be considered earnings in that situation. We would not reduce their weekly benefit amount. We would investigate why they left work.

Tape 13, Side A

47 FAHEY: Is that is like you can't fire me I quit?

54 IRV FLETCHER, AFL-CIO: As a member of the advisory committee, it is a good bill and should pass.

62 Closes Public Hearing on House Bill 2060

Submitted by, Reviewed by,

Paula Gilmer Purcell Aaron Felton
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - Testimony presented by the Oregon Employment Department